

Lewis G. Adler, Esq.

**26 Newton Avenue
Woodbury, NJ 08096
(856) 845-1968 voice
(856) 848-9504 fax**

February 11, 2016

The Honorable Noel L. Hillman
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

***Re: Thomas, et al. v. Solvay Specialty Polymers USA, Inc. and
Arkema, Inc., Docket No: 1:14-cv-01870-NLH-JS***

Dear Judge Hillman:

I am writing on behalf of the Plaintiffs in the above-referenced matter to bring to Your Honor's attention a time-critical aspect of the proposed settlement between Plaintiffs and Defendants, which settlement has been submitted to Your Honor for preliminary approval.

This lawsuit arises from presence in a Borough of Paulsboro drinking water well of Perfluoronanoic acid (PFNA), a type of perfluorinated compound (PFC). The lawsuit alleges that defendants were responsible for the PFNA in that well that was first revealed by the New Jersey Department of Environmental Protection in late summer 2013 and that the presence of PFNA in the water could increase the risk of disease among Paulsboro residents who consumed the water. Defendants deny that they are responsible for the presence of PFNA in the municipal water and deny that PFNA could cause harm, especially at the levels detected.

A Motion for Preliminary Approval of Class Action Settlement was filed last November. One of the key terms of the settlement is that a resident class fund of \$1,420,000 will be used to pay for a blood test so that resident class members can determine the PFC levels in their blood. As set forth in the brief in support of the motion for preliminary approval:

Because PFCs have been phased out over the last decade or so, PFC levels in blood have been decreasing over time. The shut down of Well No. 7 and subsequent installation of a treatment system, will further decrease the amount of PFCs, notably PFNA, in Paulsboro's supply system and further decrease exposure of Paulsboro residents to these substances. Therefore, having the option to get blood tests now, as opposed to many years from now were this case to be litigated and Plaintiffs were successful, is another benefit to the Resident Class. Brief in Support of Motion for Class Certification at p. 8, Docket Entry 41 (emphasis added).

The Paulsboro residents would be benefited by the prompt implementation of the blood testing program included in the proposed settlement. We appreciate that Your Honor is handling many important matters. However, we believe that this settlement is in the public interest and is time critical.

Respectfully submitted,

Lewis G. Adler, Esquire

cc: Joel Schneider, U.S.M.J.